

stip does not
affect confirmed plan

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

PATRICK BANNING

NO. 19-10450 ELF
CHAPTER 13

**STIPULATION IN RESOLUTION OF MOTION OF CAB EAST, LLC/FORD
MOTOR CREDIT COMPANY, LLC FOR RELIEF FROM CO-DEBTOR STAY RE: A
LEASED 2018 FORD ESCAPE MOTOR VEHICLE [DOC. NO. 38]**

The parties, by counsel, agree as follows and request the same be made an Order of Court:

1. CAB East, LLC/Ford Motor Credit Company, LLC ("Ford Credit") is the owner and lessor of a 2018 Ford Escape, motor vehicle [VIN...JUD25522] ("Vehicle") leased to Debtor Patrick Banning and Non-Debtor, Jennifer Banning, pursuant to the terms of a 36 month motor vehicle lease agreement dated November 16, 2018, ("Lease").

2. Debtor's Chapter 13 Plan does not assume the Lease. The Plan was confirmed May 21, 2019, and, consequently, the Lease was deemed rejected and the automatic stay of the Bankruptcy Code §362(a) terminated at the conclusion of the confirmation hearing.

3. Subject to the terms of this Stipulation, the Co-Debtor stay of Bankruptcy Code § 1301 shall remain in effect.

4. Debtor shall continue to maintain casualty and comprehensive insurance on the Vehicle, with Ford Credit named as loss payee, and provide proof thereof.

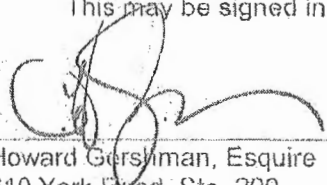
5. As of August 15, 2019, the leased 2018 Ford Escape is current with the next regular payment of \$478.21 due on August 16, 2019. The account will be paid on a current basis moving forward.

6. All payments shall be sent to Ford Credit with the account number xxx-8234 noted thereon and shall be mailed to Ford Credit, in the absence of other directions to:

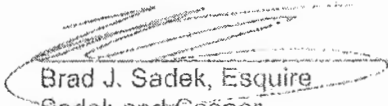
Ford Motor Credit Company
PO Box 55000
Drawer 55953
Detroit, MI 48255-0953

7. In the event Debtor fails to make any payment when due or fails to provide proof of appropriate insurance, then Ford Credit shall send written notice of the default by first class mail to Debtor's counsel as well as to Debtor addressed to 125 Mifflin Street, Philadelphia, PA 19148. If the default relates to the failure to have insurance and the same is not cured within ten (10) days from the date of the notice, then Ford Credit may certify the default to the Court to obtain an immediately effective [with waiver of F.R.B.P. 4001(a)(3)] relief from stay order to enforce its *in rem* rights as to the Vehicle, without need of further Court hearing. If the default relates to the payment of money, then the Motion for Relief from Automatic Stay may be relisted for hearing upon the filing of a Praecipe only.

This may be signed in counterparts, electronically and/or by facsimile.



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NO OBJECTION/NO POSITION:



William C. Miller, Trustee

NO OBJECTION
*without prejudice to any
trustee rights and remedies.